

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

TINA L. MCQUEEN, Administrator of the Estate of Robert W. McQueen, Jr.	:	CIVIL ACTION NO. 1:02cv155
	:	
Plaintiff,	:	Judge Weber
	:	
vs.	:	
	:	
BARGE VESSEL OR 4797, et al.	:	
	:	
Defendants.	:	

IN RE MIDLAND ENTERPRISES, INC. CIVIL ACTION NO. 01-02-639

AFFIDAVIT OF COUNSEL

STATE OF OHIO)	
)	SS:
COUNTY OF HAMILTON)	

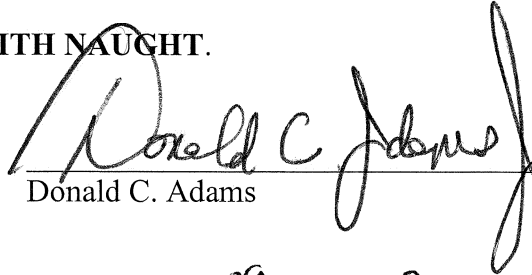
I, Donald C. Adams, being first duly cautioned and sworn under oath, hereby states and affirms that the following information is true to the best of my knowledge and belief:

1. I am defense counsel for Defendants, Barge Vessel OR 4797 and Midland Enterprises, Inc.
2. I have been in contact and have had conversations with counsel for Consolidate Grain Enterprises, Inc., Steven B. Belgrade, regarding potential resolution of Midland Enterprises' claims against Consolidated Grain and its carrier.
3. My schedule, along with the schedule of Mr. Belgrade, have made settlement


negotiations difficult based on the holiday season, unavailability of counsel, or unavailability of the clients.

4. Mr. Belgrade indicated to me in telephone conversations that he has no objection to an extension of thirty (30) days of the proposed Agreed Scheduling Order setting forth the cut-off of joining parties and further amendment from December 30, 2003 to January 30, 2004.

FURTHER AFFIANT SAITH NAUGHT.


Donald C. Adams

Sworn to and subscribed in my presence this 29 day of December, 2003.


Notary Public

My Commission expires: _____



BONNIE CRONIN
Notary Public, State of Ohio
My Commission Expires
September 11, 2008